

Entered - 9/29/00 - sb
CL 00L0598 - ALEXIS HOLMES

00-*R*-1825

CLAIM OF: **FELICIA L. LADSON**
through her attorneys
Nicholas and Weeks
Attorneys at Law
23 North Avondale Road
Avondale Estates, Georgia 30032

For alleged injuries sustained as a result of an vehicular pursuit by a
City of Atlanta police officer on April 17, 2000, at Bouldercrest Road
near the intersection of Sargent Drive.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSED
CITY COUNCIL NOV 20 2000

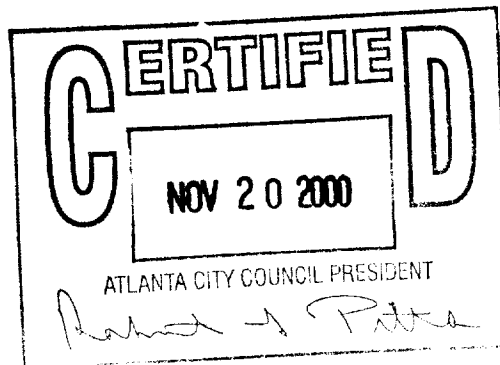
ADVERSED REPORT

COM. *Public Safety*

DATE *11/14/00*

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NOV 20 2000
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OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

November 28, 2000

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Nicholas and Weeks
Attorneys at Law
23 North Avondale Rd.
Avondale Estates, GA 30032

00-R-1825

RE: Felicia L. Ladson

Dear Attorney Weeks:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on November 20, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0598

Date: 11/01/00

Claimant /Victim: FLECIA L. LADSON

BY: (ATTY:)Nicholas Weeks Attorneys at Law

Address: 23 North Avondale Road, Avondale Estates, Georgia 30032

Subrogation: Claim for Property loss \$ Bodily Injury \$ \$25,000

Date of Notice: 09/29/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/17/00 Place: Bouldercrest Road near the intersection of Sargent Drive

Department Police Division:

Employee involved Office R.A. Dannenberg Disciplinary Action:

NATURE OF CLAIM: Claimant alleged that she sustained damages and injuries by Officer Dannenberg as a result of a vehicle pursuit during an attempted apprehension of a suspect. However, a municipal corporation shall not be liable for the torts of policemen or other officers engaged in the discharge of the duties imposed on them by law as set forth in O.C.G.A § 36-33-3.

INVESTIGATION:

Statements: City employee Claimant X Others Written Oral X

Pictures Diagrams Reports: Police Dept Report Other X

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager:  Concur/date 11-02-00

Committee Action: Council Action

NICHOLAS AND WEEKS

ATTORNEYS AT LAW
A Non Partnership Professional Association

23 North Avondale Road
Avondale Estates, Georgia 30002
Telephone (404) 296-1444
Facsimile (404) 296-9902

Holmes
9-29-00

Joe A. Weeks, P.C.

September 27, 2000

ENTERED - 9-29-00 - SB
00L0598 - ALEXIS HOLMES

Certified Mail # 7099 3400 0016 6781 6126

Honorable William Campbell
Mayor, City of Atlanta
55 Trinity Avenue, SW, Suite 2400
Atlanta, Georgia 30335

Certified Mail #Z 596 844 009

Honorable Rob Pitts
President, Atlanta City Council
55 Trinity Avenue, SW, Suite 2900
Atlanta, Georgia 30335

RE: Felicia L. Ladson
Accident of April 17, 2000

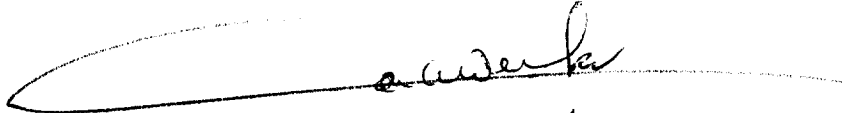
Dear Mayor Campbell & Mr. Pitts:

I represent Felicia L. Ladson who is asserting a claim against the City of Atlanta for injuries sustained on April 17, 2000. This notice is presented in compliance with O.C.G.A. § 36-33-5.

On April 17, 2000, Officer R.A. Dannenberg engaged in a dangerous pursuit of a vehicle on Bouldercrest Road near its intersection with Sargent Drive. Officer Dannenberg's pursuit of a vehicle caused multiple collisions, one of which resulted in property damage and injuries to my client, Felicia L. Ladson. Officer Dannenberg negligently engaged in a high-speed pursuit and negligently contributed to another vehicle running into Ms. Ladson's vehicle. Officer Dannenberg operated his vehicle too fast for conditions in violation of O.C.G.A. § 40-6-181. Officer Dannenberg failed to keep a proper lookout and failed to keep his vehicle under control. Further, Officer Dannenberg violated the City of Atlanta's pursuit policy. Further, Officer Dannenberg violated the police protocol by investigating the resulting collisions, himself, and not asking an independent law enforcement agency to investigate the collisions. Ms. Ladson suffered severe injuries to her face, back, neck and shoulder and continues to suffer from dizziness, stiffness in her joints and severe headaches as a result of the collision. Ms. Ladson has

Demand is made, on behalf of Ms. Ladson, in the amount of Twenty Five Thousand Dollars (\$25,000.00) on the City of Atlanta.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Joe A. Weeks", written over a horizontal line.

Joe A. Weeks

JAW:dw

00-*R*-1825

Council President Pro Tem Starnes
Presided

RCS# 2401
11/20/00
2:00 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-18

00-R-1849
(Morris Voted NAY)

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

00-O-1111
00-R-1693
00-R-1694
00-R-1695
00-R-1696
00-R-1697
00-R-1804
00-R-1835

CONSENT

		11/20/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1690 2. 00-O-1691 3. 00-O-1692 4. 00-O-1845 5. 00-O-1864 6. 00-O-0728 7. 00-R-1702 8. 00-R-1703 9. 00-R-1705 10. 00-R-1707 11. 00-R-1850 12. 00-R-1865 13. 00-R-1851 14. 00-R-1873 15. 00-R-1622 16. 00-R-1623 17. 00-R-1699 18. 00-R-1775* 19. 00-R-1776* 20. 00-R-1777* 21. 00-R-1782 22. 00-R-1687 23. 00-R-1668 24. 00-R-1786 25. 00-R-1789 26. 00-R-1799 27. 00-R-1800 28. 00-R-1813 29. 00-R-1814	30. 00-R-1815 31. 00-R-1849# 32. 00-R-1858 33. 00-R-1862 34. 00-R-1787* 35. 00-R-1790 36. 00-R-1791 37. 00-R-1794 38. 00-R-1798 39. 00-R-1861 40. 00-R-1686 41. 00-R-1843 42. 00-R-1869 43. 00-R-1870 44. 00-R-0973 45. 00-R-0816 46. 00-R-1803 47. 00-R-1805 48. 00-R-1806 49. 00-R-1807 50. 00-R-1808 51. 00-R-1809 52. 00-R-1810 53. 00-R-1811 54. 00-R-1812	55. 00-R-1816 56. 00-R-1817 57. 00-R-1818 58. 00-R-1819 59. 00-R-1820 60. 00-R-1821 61. 00-R-1822 62. 00-R-1823 63. 00-R-1824 64. 00-R-1825 65. 00-R-1826 66. 00-R-1827 67. 00-R-1828 68. 00-R-1829 69. 00-R-1830 70. 00-R-1831 71. 00-R-1832 72. 00-R-1833 73. 00-R-1834 74. 00-R-1836 75. 00-R-1837 76. 00-R-1838 77. 00-R-1839 78. 00-R-1840 79. 00-R-1841 80. 00-R-1842 * President Pitts recused himself. # Lee Morris not voting.